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U.S. PTO

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JC978 U.S. PRO
09/04/01
05/01/01



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PATENT
1 May 2001

EXPRESS MAIL

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: NEW APPLICATION TRANSMITTAL

Dear Sir

Enclosed please find the patent application of:

Inventor(s): Stanley E. Katz and Alain Martin

For (Title): Method and Composition for Treating Mammalian Nasal and
Sinus Diseases Caused By Inflammatory Response

05/01/01
05/01/01

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10

"Express Mail" mailing label number EF33164707SVS

Date of Deposit 1 May 01

I hereby certify that this New Application Transmittal, and the documents referred to as
enclosed, are being deposited with the United States Postal Service "Express Mail Post Office
to Addressee" service pursuant to 37 C.F.R. Section 1.10 on the date set out above and is
addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Richard R. Muccino

(typed name of person mailing papers)

Richard R. Muccino

(signature of person mailing papers)

This new application is for a(n)

Original.
 Design.
 Divisional.
 Continuation.
 Continuation-in-part (CIP).

the specification of which:

is attached hereto.

was filed on _____ as Application Serial No. _____

and was amended on _____. (if applicable)

was described and claimed in

International Appln. No.

filed on

and was amended on _____.

2. **BENEFIT OF PRIOR U.S. APPLICATION(S)
(35 U.S.C. SECTION 120)**

The new application being transmitted is a

continuation
 continuation-in-part
 divisional

of copending United States application(s)

serial no. 09/348,698, filed 7 July 1999 and serial no. 09/312,168, filed 14 May 1999.

and claims the benefit of the earlier filing date(s) of the prior U.S. application(s) pursuant to 35 U.S.C. Section 120.

The time for response, without the filing of a petition for extension of time, in the pending parent application, serial no. 09/312,168, filed 14 May 1999, is 1 February 2001.

A petition for a three (3) month extension of time, the fee, and this CIP filing has been filed in the pending parent application, serial no. 09/312,168,

filed 14 May 1999, to extend the term until 1 May 2001. A copy of the petition for extension of time filed in the pending parent application is attached.

Please abandon the prior U.S. application(s), serial no. 09/312,168, filed 14 May 1999, referred to above at a time while the prior application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with the prior application.

X Please do not abandon the prior U.S. application(s), serial no. 09/348,698, filed 7 July 1999, referred to above at this time.

3. ENCLOSURE ARE THE FOLLOWING DOCUMENTS REQUIRED FOR FILING DATE UNDER 37 C.F.R. SECTION 1.53(b) (REGULAR) OR 37 C.F.R. SECTION 1.153 (DESIGN) APPLICATION

4. **ADDITIONAL PAPERS ENCLOSED**

_____ A preliminary amendment under 37 C.F.R. Section 1.111 is attached.

Please amend the specification by inserting before the first line the sentence:

This application is a continuation
 continuation-in-part
 divisional
of copending U.S. application serial no.

Prior to calculating the filing fee, please amend the claims by deleting claims.

- Information Disclosure Statement.
- Form PTO-1449.
- References.
- Declaration of Biological Deposit.
- Special Comments.
- Assignment.
- Small Entity Statement.
- Express Mail Certification (part of this transmittal letter).
- Two (2) stamped return-addressed postcards.
- Check in the amount of \$445.00 calculated as set forth below.
- Other.